

FS Agreement No. 11-LF-11031200-007  
Cooperator Agreement No. \_\_\_\_\_**EXHIBIT A****COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &  
FINANCIAL PLAN****Between The  
GILA COUNTY SHERIFF'S OFFICE  
And the  
USDA, FOREST SERVICE, TONTO NATIONAL FOREST****FY11 OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between the Gila County Sheriff's Office, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Tonto National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #11-LF-11031200-004 executed on \_\_\_\_\_. This Operating Plan is made and agreed to as of the last date signed below and is for the period beginning with the last signature and ending September 30, 2011.

**I. GENERAL:**

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

**Principle Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: John Armer, Sheriff	Name: Claudia DalMolin
Address: Gila County Sheriff's Office P.O. Box 311	Address: Gila County Sheriff's Office P.O. Box 311
City, State, Zip: Globe, AZ 85501	City, State, Zip: Globe, AZ 85501
Telephone: (928) 425-4449	Telephone: (928) 425-4449
FAX: (928) 425-5674	FAX: (928) 425-5674
Email: jarmer@co.gila.az.us	Email: cdalmolin@co.gila.az.us

**Principle U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
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Name: Bray Addison, Patrol Captain Address: Central Arizona Zone, IE&I 2324 East McDowell Road City, State, Zip: Phoenix, AZ 85006 Telephone: (602) 225-5241 FAX: (602) 225-5286 Email: brayaddison@fs.fed.us	Name: Sherry Smith Address: Tonto NF, Grants & Agreements 2324 East McDowell Road City, State, Zip: Phoenix, AZ 85006 Telephone: (602) 225-5383 FAX: (602) 225-5361 Email: sherrysmith@fs.fed.us
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- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

\*\* see attached rate sheet \*\*

\$ /mile patrolled

Per diem rate is \$ /day

Wages at the prevailing rate of \$ /hour plus fringe benefits for the individual officer at the rate of \$ /hour.

## II. PATROL ACTIVITIES:

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

- Patrol on following Forest Service roads:
  - National Forest System Roads 32, 33, 34, 55, 60, 64, 71, 112, 184, 188, 194, 198, 199, 200, 203, 208, 222, 242, 284, 287, 287A, 287B, 289, 291, 303, 304, 349, 406, 412, 417, 419, 423, 424, 426, 428, 430, 435, 445, 449, 473, 583, 608, 651, and 708.
- Patrol in the following campgrounds, developed sites, or dispersed areas:
  - Globe Ranger District**
    - Tuxedo Junction, CCC Camp and Sulfide Del Rey Campground: Late night patrol between 2200-0300 Friday and Saturday nights
    - Pioneer Pass: once per week, daytime/weekends.
    - Pinal Peak summer homes: once per week during the summer, and once per month during the winter.
    - Pipeline area in the vicinity of the junction of Highways 70 & 77.
    - Other patrols as needed on the Globe District, with emphasis on areas of illegal woodcutting. These illegal cutting areas are determined through contact by the Gila County Sheriff's Office in Globe and the Globe Ranger District.
  - Payson Ranger District**
    - Upper and lower Tonto Campgrounds and Christopher Creek Campground: Friday through Sunday during May through September, and twice per month in the winter.



- Other patrols as needed on the Payson District, with emphasis on areas of illegal woodcutting. These illegal cutting areas are determined through contact by the Gila County Sheriff's Office in Payson and the Payson Ranger District.

**Pleasant Valley Ranger District**

- Haigler Creek and Alderwood Campgrounds, upper and lower Canyon Creek Campgrounds, Workman Creek area: Friday through Sunday during May through September and late night patrols and at least twice per month in winter.
- Coyote Junction: late night during the summer.
- Other patrols as needed on the Pleasant Valley District, with emphasis on areas of illegal woodcutting. These illegal cutting areas are determined through contact by the Gila County Sheriff's Office in Payson and the Pleasant Valley Ranger District.

**Tonto Basin Ranger District**

- Roosevelt Lake campgrounds: late night patrols Friday through Sunday year-around.
- Lone Pine Saddle, Campaign Trailhead, Cherry and Coon Creek areas: Twice per month.

The Cooperator further agrees:

To assist Forest Service officers in the enforcement of natural resource conservation laws, rules, and regulations whenever possible.

Dispatch additional deputies within manpower constraints for unforeseen or emergency situations upon request of the Forest Service.

Provide radio communications for Forest Service law enforcement personnel as needed. When advised that a Forest Service Law Enforcement Officer is "in service" on the Cooperator's frequency, the Cooperator dispatcher will provide basic officer safety welfare monitoring, welfare checks during vehicle stops and violator contacts, provide Arizona Criminal Justice Information System (ACJIS)/National Crime Information Center (NCIC) and Motor Vehicle Division (MVD) queries on request, and otherwise provide routine police dispatch services consistent with the Cooperator's own internal policies.

Maintain interagency communication by means of informal meetings between the Forest Officers, Law Enforcement Officers for the purpose of exchanging mutually benefiting information.

Upon request of the Forest Service, the Cooperator shall provide copies of arrest reports, investigative reports, criminal complaints, citations, and other office records relating to crimes, offenses, disturbances, complaints and public safety responses



handled by the Cooperator within the National Forest System. Also upon request from the Forest Service, the Cooperator will provide statistical summaries of all incidents occurring within the National Forest System, subject to the capabilities of its automated data collection/retrieval systems.

Total reimbursement for this category shall not exceed the amount of: \$78,000.00

### **III. TRAINING:**

*See Cooperative Law Enforcement Agreement Provision IV-J for additional information.*

Total reimbursement for this category shall not exceed the amount of: \$0.00

### **IV. EQUIPMENT:**

*See Cooperative Law Enforcement Agreement Provisions IV-J, IV-K, and IV-L for additional information.*

The Cooperator is authorized to purchase miscellaneous equipment and supplies necessary for its employees to adequately and safely perform their job under this agreement.

Total reimbursement for this category shall not exceed the amount of: \$5,000.00

### **V. SPECIAL ENFORCEMENT SITUATIONS:**

- A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.
- B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Operating Plan. The designated representative will then notify the Cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Operating Plan, except as provided under C, D, and E below for fire prevention and suppression situations.
  - 1. Drug Enforcement:
  - 2. Fire Emergency:
  - 3. Group Gatherings:



This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

- C. It is mutually agreed by the parties that danger from wildland fire is critical, the potential for human-caused and naturally-occurring wildland fire in the Tonto National Forest can be high, and that wildland fires pose a significant threat to the Tonto National Forest and to the communities in the area.

The Sheriff's Office may be requested to provide additional law enforcement support on National Forest System lands during extreme fire conditions. These conditions can be considered a Special Law Enforcement Situation, as described in Section V, Paragraph A above. This request will become effective and enforceable only when the Forest Service specifically requests assistance through the Forest Dispatch or Expanded Dispatch Office, which provides a resource order number, and the County Dispatch Office is notified of the request.

- D. The Sheriff's Office shall:

1. Provide to the Forest Service, fully equipped Sheriff's Deputies who meet the standards of training as listed in the *Cooperative Law Enforcement Agreement, Provision II-B*, including appropriate vehicle(s), in numbers requested by the Forest Service to provide law enforcement for fire prevention or fire suppression situations. These duties are above and beyond the customary duties that are routinely provided by the Sheriff's Office and will be covered under Special Enforcement Situations. The Sheriff's Deputies will continue to work under the direction of the Sheriff's Office. The Sheriff's Deputies will coordinate their patrol activities with the U. S. Forest Service Patrol Captain, or their designee, while assigned to each specific fire prevention patrol area, and coordinate their activities with the Incident Commander while assigned to each specific wildland fire suppression situation. All Deputies assigned to a wildland fire suppression situation are required to follow Check-in and Demobilization procedures.
2. Assign Sheriff's Deputies requested by the Forest Service for fire prevention or fire suppression situation patrol and law enforcement.
3. Furnish itemized statements of expenditures to the Forest Service for the fire prevention or fire suppression situation services requested by the Forest Service, at the address below:

U.S. Forest Service  
Albuquerque Service Center  
Incident Finance  
101 B Sun Avenue NE  
Albuquerque, NM 87109



E. The Forest Service shall:

1. Relay requests to the Sheriff's Office to provide fully equipped Sheriff's Deputies, including vehicles, through Forest Service Dispatch or Expanded Dispatch Office to the County Dispatch Office, including specific information on numbers of officers needed, tour, location, expected length of duty, authorization for overtime expenditures, and fire severity or fire suppression code for billing. A resource order must be issued by the Forest Service to support each request. The resource order number will be provided to the Sheriff's Office by the Forest Service Dispatcher.
2. Post each Deputy's time to an FTR (Optional Form 288) and each vehicle's mileage to Equipment Shift Tickets to provide documentation to support payment of each itemized statement of expenditures provided by the Sheriff's Office.
3. Reimburse the Sheriff's Office for requested fire severity or fire suppression special enforcement situation services that are provided and covered under this Section, at the prevailing rates as per Section I, Paragraph B above:

**VI. BILLING FREQUENCY:**

*See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.*

Quarterly Billing for reimbursement to the Sheriff's Office for items listed under Sections II, III and IV shall not exceed \$83,000.00.

- A The Sheriff's Office shall furnish the Forest Service itemized statements *for all non-fire related activities*, not less than quarterly and patrol logs for the expenditures involving forest patrol and controlled substance law violations. Submit Public Voucher for Service (SF 1034). The statement will contain sufficient detail to allow the Forest Service to tie the expenditures back to the reimbursable expenses and rates contained in this Operating and Financial Plan.

Each invoice shall display the Agreement number, billing period, and Sheriff Office's actual expenditures to date of the invoice, displayed by separate cost elements (i.e., Patrol billable hours, Training, Equipment, etc.) as documented in the FY11 Operating Plan, less any previous Forest Service payments. The Sheriff's Office is approved for quarterly billing. The invoice should be forwarded as follows:

**Send original to:**  
U. S. Forest Service

**Send copy of invoice and completed  
Forms FS-5300-5, Cooperative Law  
Enforcement Activity Report to:**  
U.S. Forest Service



Albuquerque Service Center  
Payments – Grants and Agreements  
101 B. Sun Ave. NE  
Albuquerque, NM 87109  
Phone: 877-372-7248  
Fax: 877-687-4894

Bray Addison, Patrol Captain  
Tonto National Forests  
Address: 2324 East McDowell Road  
City, State, Zip: Phoenix, AZ 85006  
Phone: (602) 225-5241  
E-Mail: brayaddison@fs.fed.us

## VI. CLOSEOUT.

The Recipient shall close out the FY 2011 Annual Financial and Operating Plan within 90 days after expiration or notice of termination.

Invoices for services rendered within the performance period authorized under this instrument must be submitted within 90 days of expiration of this FY 2011 Financial and Operating Plan and final invoice marked as "FINAL". Any balance of funds not invoiced by the Recipient shall be de-obligated by the Forest Service upon receipt and approval of the final invoice.

Within a maximum of 90 days following the date of expiration or termination of this agreement, all performance and related reports required by the terms of the instrument shall be submitted to the Forest Service by the Recipient.

## VII. TERMINATION FOR CONFLICT OF INTEREST. *(State of AZ only)*

This Agreement is subject to termination pursuant to Arizona Revised Statute 38-511.

## VIII. AUTHORIZED REPRESENTATIVES.

By signature below, the Sheriff's Office certifies that the individuals listed in this document as representatives of the Sheriff's Office are authorized to act in their respective areas for matters related to this Agreement.

In witness whereof, the parties hereto have executed this Operating Plan as the last date written below.

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JOHN ARMER, Sheriff  
Gila County Sheriff's Office

Date

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GENE BLAKENBAKER, Forest Supervisor  
U.S. Forest Service, Tonto National Forest

Date



\_\_\_\_\_  
CHAIRMAN  
Gila County Board of Supervisors

\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Clerk  
Board of Supervisors

\_\_\_\_\_  
Date

APPROVED AS TO FORM

\_\_\_\_\_  
BRYAN B. CHAMBERS  
Chief County Deputy Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
ROBIN L. POAGUE  
Special Agent in Charge, Region 3

\_\_\_\_\_  
Date

The authority and format of this instrument have been reviewed and approved for signature.

\_\_\_\_\_  
SHERRY J. SMITH  
U.S. Forest Service Grants & Agreements Specialist

\_\_\_\_\_  
Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this





information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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